

**QUESTIONS AND ANSWERS RE:
WORKFORCE RESTRUCTURING PLAN FOR
BROOKHAVEN NATIONAL LABORATORY**

- Q.** What is a workforce-restructuring plan and why is one necessary for BNL?
- A.** Section 3161 of the FY 1993 National Defense Authorization Act requires a work force restructuring plan be developed whenever workforce restructuring occurs at any of the Department of Energy's designated Defense Nuclear Facilities. Brookhaven National Laboratory is among the list of designated Laboratories. A Work Force Restructuring Plan is required to spell out what steps a Laboratory Contractor would take in the event there were to be a need to undergo a major restructuring of the workforce. Thus, DOE and BSA are developing one because it is practical to have one and there is a requirement that necessitates it.
- Q.** What do you mean by a “major restructuring of the workforce?”
- A.** In general terms, a workforce restructuring would be related to a significant layoff that would be required by something such as the closure of a major facility or the phasing out of a large program that employed significant numbers of employees.
- Q.** Is the Laboratory going to undergo something such as the closure of a major facility, or is there a large program that is coming to completion? If not, why is it necessary now to develop a workforce-restructuring plan?
- A.** There are no plans to close a major facility. Similarly, there are no large programs that are scheduled to come to an end. DOE and BSA have prepared a workforce restructuring plan because of the statutory requirement for Defense Nuclear Facilities to have one.
- Q.** Does the requirement to do a workforce-restructuring plan apply to all national laboratories?
- A.** When Section 3161 of the FY 1993 National Defense Authorization Act was formulated, the need to do workforce-restructuring plans applied to all DOE facilities that were listed as defense nuclear facilities. Brookhaven was put on the list of defense nuclear facilities because we had operating nuclear reactors on our site.
- Q.** Since there are no longer any operating nuclear reactors on the site, why is the Laboratory still categorized as a defense nuclear facility?

- A. The question about whether it is in DOE's or the Laboratory's best interest to remove BNL from the Defense Nuclear Facilities list is under review by the Department of Energy. While it is true that BNL no longer operates nuclear reactors, the definition of a Defense Nuclear Facility is broad.
- Q. If BNL were not designated as a Defense Nuclear Facility, would it still be required to develop a Workforce Restructuring Plan?
- A. Regardless of whether a DOE Laboratory is designated as a Defense Nuclear Facility, DOE policy provides discretion to the local DOE field office to require Laboratory contractors to provide information and documents that would enable compliance with the tenets of Section 3161 of the National Defense Authorization Act. This discretion is invoked when a change in the nature or structure of a contractor's work force may affect 100 or more employees at a site within a 12-month period. Based on the characteristics of the BNL site, the anticipated reactor(s) decommissioning projects that will continue through 2009, it is highly likely that DOE would require a Work Force Restructuring Plan if BSA were to anticipate tripping the 100-employee reduction threshold.
- Q. What is the purpose behind the requirement that DOE facilities engage in workforce-restructuring activities?
- A. There were several DOE sites that were slated for closure as a result of the end of the Cold War era. DOE wanted to assure that the employees who worked at those sites were treated fairly in terms of providing the workers with benefits and other job opportunities. Thus, there were requirements placed upon contractors to offer certain protections to those employees who were unfortunate enough to be laid off.
- Q. What would be the difference between the benefits offered by the Laboratory to laid-off employees as compared to those employees covered under a workforce-restructuring plan?
- A. Essentially, there would be no differences. Under Laboratory policy, non-retirement eligible employees who are laid off receive medical benefits for one year for the existing employee contribution. In the second year, those employees can purchase medical at half the COBRA rate, while in the third year they must pay 102% of the COBRA rate. That has been Laboratory policy for many years. Under a DOE workforce restructuring, the Laboratory would be required to offer exactly the same benefits arrangement as we presently do.
- Q. Are there differences in what the Laboratory offers for continued employment opportunities under Laboratory policy as contrasted to those under a workforce-restructuring plan?

- A. Under Laboratory policy, laid-off employees can be eligible for preference in hiring for future openings. Under the workforce-restructuring plan, that preference still exists, and it can be extended to job opportunities at other DOE facilities.
- Q. Are employees entitled to more “notice” when there is a workforce restructuring?
- A. In the normal course of events, the Laboratory attempts to give employees as much notice as is possible before enacting layoffs. Under no circumstance should an employee receive less than two-weeks notice. The same holds true in the workforce-restructuring plan.
- Q. Have other DOE sites gone through this process?
- A. Yes, several of them have done so. For instance, sites such as Rocky Flats, Fernald, and Pantex have been in workforce-restructuring modes. In addition, Lawrence Livermore and Oak Ridge National Laboratories have also had workforce restructuring activities at their sites.
- Q. The Laboratory presently has a hiring freeze in place. How will that impact the preference in hiring requirement?
- A. There are certainly fewer job openings at BNL right now. As openings do occur, laid-off employees will have first preference for those positions.